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RURAL MANAGEMENT & DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK

No.710/RM&DD/NREGA **Dated: 14/11/2008**

NOTIFICATION

Whereas, as required under Sub-Section (1) of Section 32 of the National Rural Employment Guarantee Act, 2005, the draft Rules of the Sikkim Rural Employment Grievance Redressal Rules, 2008 has been published in the Sikkim Herald Classified vide Volume 52 No: 82 dated: 8th September, 2008 and Sikkim Government Gazette Extraordinary No: 410 dated: 8th September, 2008 for the information of all persons likely to be affected thereby and notice was given that the said draft rules would be taken into consideration after expiry of a period of 45 days from the date of its publication in the Official Gazette.

And whereas, no views or suggestions have been received from any person with respect to the said draft rules within the stipulated period of 45 days which expired on 26th of October, 2008;

Now, therefore, in exercise of power conferred under Sub-Section (1) of Section 32 of the National Rural Employment Guarantee Act, 2005, the State Government hereby makes the following rules namely:-

Short title, extent and commencement

1. (1) These rules may be called the **Sikkim Rural Employment Grievance Redressal Rules, 2008.**
   (2) They shall extend to the whole of Sikkim.
   (3) They shall come into force on the date of their publication in the Official Gazette.

Definitions

2. (1) In these rules, unless the context otherwise requires:-
   (a) **"Act"**, means the National Rural Employment Guarantee Act, 2005 (42 of 2005);
   (b) Appellate Authority "means the Secretary, Rural Management and Development Department and any other officer as referred to in sub-rule(2) of rule 3.
   (c) **"Department"** means the Rural Management and Development Department, Government of Sikkim.

(d) **"District Program Coordinator"** means District Development Officer of the concerned district;

(e) **"Programme Officer"** means the Block Development Officer.

(f) **"Section"** means a section of the Act;

(g) "State Level Officer means the State Legal Officer as designated under sub-rule (5) of rule 5.

(2) Words and expression used in these rules and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.

Designation of Grievance Redressal Officer

3. (1) The Grievance Redressal Officer at the Block level will be the Programme Officer and at the District level the District Programme Coordinator.

(2) A system of appeal will be there to deal with grievances at each level. Any person aggrieved by an order of the Gram Panchayat may prefer an appeal to the Programme Officer and an appeal against the order of the Programme Officer will lie to the District Programme Coordinator and accordingly an appeal against the order of the District Programme Coordinator will lie to the Secretary to Government, Rural Management and Development Department, or to any officer authorized by him on his behalf.

Procedure for filing complaints

4. (1) Where a person who has any complaint should submit either in writing or orally to the concerned Programme Officer or District Programme Coordinator.

(2) There shall be complaint boxes installed at conspicuous places in the offices of the Programme Officers and District Programme Coordinators to facilitate submission of Complaints.

(3) The Gram Sabha and the Social Audit Forum shall also provide a forum for public hearings so that grievances may be quickly redressed.

(4) On receiving the complaint, the concerned District Programme Coordinators and the Programme Officer shall direct the concerned official to enter the name and address of the petitioner, nature and date of the petition, in the complaint register which shall be uploaded on to the internet on a weekly basis.

(5) The official registering the grievance shall give a written receipt with number and date so that he/she can follow up the status of disposal of his/her grievance from a counter in the office of the Programme Officer and over the Internet using the receipt number.

Procedure for disposal of complaints

5. (1) All the complaints received shall be disposed of within the statutory time limit of 7 (seven) days of their receipt.

(2) The office of the District Progamme Coordinator and the Programme Officer concerned shall inform the petitioner of the action taken in writing. Once a grievance has been disposed of, the date and nature of disposal should be communicated to the petitioner. These details are to be made available over the Internet.

(3) If the complainant is not satisfied with the action taken, may prefer an appeal to the concerned Appelate Authority under the sub-rule (2) of rule 3 within fifteen days.

(4) The Appellate Authority shall dispose of the appeal within the statutory time limit of seven days and also inform the complainant of the action taken in writing.

(5) The Deputy Secretary incharge of NREGA in the Rural Management and Development Department head office shall be the State level Officer to monitor the disposal of complaints in the State.

Procedure for monitoring of complaints

6. (1) The State Legal Officer shall give wide publicity of grievance redressal at all levels.

(2) The District Programme Coordinatior shall cause to make the quarterly disclosure of complaints in local newspapers.

(3) Every month the monitoring of disposal of the complaint shall be done at the next higher level. Data generated by classifying petitions shall be analysed each month for region and type so that it becomes a tool for identifying areas that require senior management attention and redesigning of systems.

(4) Monthly reports on complaints received and disposed of shall be sent from Gram Panchayat to Programme Officers and from Programme Officer to District Programme Coordinators and from District Programme Coordinators to the State Government and from the State Government to the Government of India and will also be entered on line in pre-designed formats in the webpage of the Ministry of Rural Development, Government of India.

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